

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NORBERTO SERNA,  
Petitioner,

v.

SUPERIOR COURT OF CALIFORNIA, et  
al.,

Respondent.

Case No. [18-cv-03326-JD](#)

**ORDER OF DISMISSAL**

This is a habeas petition filed pro se by a state prisoner. In the initial review order on July 9, 2018, the Court found that petitioner's claims appeared to all be unexhausted. The Court dismissed the petition with leave to amend or to file a motion for a stay. The twenty-eight days to amend has passed and petitioner has not filed an amended petition or a motion to stay. This case is **DISMISSED** without prejudice. A certificate of appealability is denied. Petitioner may file a new petition once the claims are exhausted.

**IT IS SO ORDERED.**

Dated: September 20, 2018

  
\_\_\_\_\_  
JAMES DONATO  
United States District Judge

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

NORBERTO SERNA,  
Plaintiff,

v.

SUPERIOR COURT OF CALIFORNIA, et  
al.,  
Defendants.

Case No. [18-cv-03326-JD](#)

**CERTIFICATE OF SERVICE**

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on September 20, 2018, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Norberto Serna ID: AV4105  
California Correctional Institution  
P. O. Box 1905  
Tehachapi, Ca 93581

Dated: September 20, 2018

Susan Y. Soong  
Clerk, United States District Court

By:   
LISA R. CLARK, Deputy Clerk to the  
Honorable JAMES DONATO